REMARKS

In view of the remarks herein, favorable reconsideration and allowance of this application are respectfully requested. Claims 1-28 are pending for further examination.

Claims 1-14 and 22-28 remain rejected under 35 USC 102(b) as being anticipated by Gardner. In addition, claims 15-21 remain rejected under 35 USC 103(a) as being obvious over Gardner in view of Shane. Applicant respectfully submits that the rejections are not supported by the actual teachings of the cited references. Thus, reconsideration and withdrawal of the rejection are respectfully requested.

In fact, as explained in detail below and contrary to the Examiner's assertion, the primary features defined in all of the pending claims are not disclosed or even suggested in Gardner. For example, Gardner does not disclose the features of enabling a user to approve a purchase order after the purchase order has been sent to the vendor, much less the feature of enabling the user to review and approve a vendor received purchase order during a real-time connection with the vendor. In fact, Gardner does not provide any relevant details regarding any procedure that occurs after a purchase order has been sent to a vendor. Instead, the invention of Gardner is directed to the requisition process that a company goes through prior to the time a purchase order is sent to a vendor or even generated. The Examiner has improperly equated the requisition process in Gardner with the purchase order process of the instant invention. This constitutes clear error in the rejection in that Gardner itself recognizes that the requisition process and the purchase order process are two separate and distinct operations. For example, in Gardner, a

928785

purchase order is not sent to a vendor until after the company has gone through the

internal requisition process, as clearly described in the flow chart of FIG. 2 and in the

description at column 9, lines 19-25. As made perfectly clear at column 9, lines 19-49,

Gardner is clearly not directed to an approval process after the purchase order is sent to

the vendor, because the only disclosed activity in Gardner that occurs after the purchase

order is sent (step 78) is the distribution of the product and invoicing. *Id.* Thus, Gardner

does not even contemplate, much less disclose, any process by which a user can approve

a purchase order after it has been sent the vendor, much less a process that corresponds to

the particular combination of steps set forth in the pending claims. Instead, the disclosure

in Gardner being improperly relied on by the Examiner is clearly directed to the

requisition process that takes place prior to the generation of a purchase order and prior to

sending the purchase order to the vendor. Thus, the Examiner has improperly equated the

requisition approval process in Gardner with the purchase order approval process defined

in the instant claims. As a result, the rejection is clearly improper as being unsupported

by the actual teachings of the references. Accordingly, if the Examiner intends to

maintain this rejection, Applicant respectfully requests that the Examiner actually

identify any alleged teachings in Gardner that relate to the purchase order approval

process instead of the requisition process. Without such identification the rejection must

be withdrawn.

The disclosure of non-confidential attachments in Gardner does not make up for

the clear deficiencies of this reference. The non-confidential attachments are included

928785

with the requisition and are later sent to the vendor with the purchase order after the requisition with the attachments has been approved internally by the company. There is no teaching or suggestion in Gardner of sending the non-confidential attachments to the vendor with a purchase order and then enabling the user to review and approve the purchase order (with attachments) during a real-time connection with the vendor. Moreover, it makes no sense, as suggested by the Examiner, that the vendor would somehow have access to the requisition process and non-confidential attachments prior to the time the company approves the requisition, generates a purchase order and sends the purchase order to the vendor. Moreover, the routing mechanism in Gardner does not disclose or suggest that the vendor would have access to the requisition process at any point prior to the purchase order being sent to the vendor. In addition, there is no disclosure in Gardner that the vendor could use communication lines 32 to access any information prior to a purchase order being initially approved internally and sent to a vendor.

Thus, as explained above and in the previous response, Gardener does not teach or suggest the invention defined in any of the pending claims. For example, Gardner fails to teach or suggest the feature of approving a purchase order that has been previously sent to a vendor, wherein the approval process includes using a real-time connection with the vendor to access, review and approve the previously sent purchase order, as specifically defined in each of the independent claims of this application. The Examiner has cited Fig. 2, step 54 and column 4, lines 32-48 in Gardner as allegedly disclosing this feature.

928785

However, the Examiner has clearly confused the requisition process of Gardner with the purchase order approval process defined in the pending claims. As can be seen in Fig. 2, the purchase order in Gardner is sent to the vendor (step 78) only after the authorizations have been acquired (step 54) during the requisition process. In short, Gardner is directed to a system for simplifying the internal approval process (i.e., requisition process) that companies perform prior to authorizing a purchase order to be issued to a vendor. In contrast, the invention defined in the claims of this application, relate to sending an unapproved purchase order to a vendor prior to finally confirming and authorizing the purchase order. The purchase order is then made available to the purchaser by the vendor through a real-time connection so that the user can give a final approval for the purchase order.

In view of the above, Gardner fails to teach or suggest each and every element in any of the claims in this application, as required for anticipation under Section 102. Moreover, Shane is simply directed to direct mail methods with interactive response and personalized web pages. Thus, Shane fails to make up for the deficiencies of Gardner relative to the claimed invention.

For at least the forgoing reasons, Applicant respectfully submits that the pending claims are allowable over the prior art of record. Thus, withdrawal of the rejections and passage of this case to issuance at an early date are earnestly solicited.
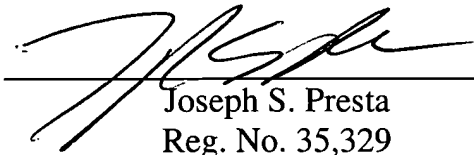
928785

Should the Examiner have any questions, or deem that any further issues need to be addressed prior to allowance, the Examiner is invited to call the undersigned attorney at the phone number below.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____
Joseph S. Presta
Reg. No. 35,329

JSP:mg
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

928785